Gary Tyler still sits in Angola prison

Three decades of injustice

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FIGHT RACISM
FIRE ALL RACIST TEACHERS AND ADMINISTRATORS NOW!

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GARY TYLER, at one time the youngest person on death row in the United States, turned forty-eight years old this July. He has spent thirty-two of those years in jail for a crime he did not commit. The case of Gary Tyler is one of the great miscarriages of justice in the modern history of the United States, in a

country where the miscarriage of justice is part of the daily routine of government business. “This case is just permeated with racism all the way through it,” declared Mary Howell, Gary's longtime attorney, “from the initial event all the way up to the pardon process.”[1]

Yet, far too few people are aware of Gary Tyler's case, which in the mid-1970s mobilized thousands across the country for his freedom and led Amnesty International to declare him a political prisoner. Over the last twenty years, hundreds of death row inmates and scores of others have been exonerated for the crimes they were falsely convicted of by racist and corrupt prosecutors. It's long past time that Gary Tyler should have gone free.

In 1975, Gary Tyler, an African-American teenager, was wrongly convicted by an all-white jury for the murder of Timothy Weber, a thirteen-year-old white youth. Weber had been killed the previous year during an attack by a racist white mob on a school bus filled with African-American high school students in Destrehan, Louisiana. Tyler's trial was characterized by coerced testimony, planted evidence, judicial misconduct, and an incompetent defense. He was sentenced to death by electrocution at the age of seventeen. On the first appeal of his conviction in 1981, a federal appeals court said that Tyler was “denied a fundamentally fair trial,” but refused to order a new one for him. During this same period, the Louisiana death penalty was ruled unconstitutional. Gary Tyler's death sentence was lifted and he was resentenced to life in prison. He is currently incarcerated in Louisiana's infamous Angola prison.

Racism in the high schools

In 1974, the tensions created by the resistance of whites to desegregation resulted in frequent clashes in which the Ku Klux Klan, the white supremacist organization, played a leading role.[2]

-Amnesty International

To understand the case of Gary Tyler, we must go back to a largely forgotten episode in American politics-the battle over the desegregation of public schools in the 1970s, and the eruption of racist violence that occurred in reaction to it across the country. In 1954, the Supreme Court, led by Chief Justice Earl Warren, ordered the desegregation of public schools “with all deliberate speed.”[3] The ruling was seen as a huge victory for the NAACP and those who advocated a legal strategy for ending Jim Crow in the United States. However, white dominated, racist local school boards in the South and the North (largely dominated by the Democratic Party) were able to avoid implementing the court order for years, if not decades. They did this through a variety of deceitful methods that included, among other things, the use of busing to keep schools segregated.[4]

By the early to mid-seventies, the time had run out for most of these local school boards, and the federal courts ordered them to come up with plans to desegregate the schools. This almost always involved busing Black school kids

from their largely Black neighborhoods into all-white neighborhoods, where they often encountered racist mobs. In fact, some of the most cowardly and despicable displays of racism ever captured on film took place during this period of time. Boston was the worst example of this, if only because the city had an undeserved “liberal” reputation. When photos of the racist violence in Boston hit the front pages of newspapers across the country and the footage was televised on the network news, it shocked many people. White, racist mobs-led mostly by parents and egged on by local Democratic Party leaders-attacked school buses as they entered white neighborhoods with rocks and bottles. The white mobs broke the windows of the buses and injured the terrified Black school kids. The police, largely drawn from the same white neighborhoods, stood by or dragged their feet and intervened too late to stop the violence.[5]

Boston may have been the most famous example of the “battle over busing,” as the media called it, but it wasn't the only place where racist violence occurred. The opposition to court-ordered desegregation spread across the country, particularly in such midsized cities as Detroit, Michigan; Louisville, Kentucky; Wilmington, North Carolina; and Richmond, California. Racist violence also spread to relatively isolated areas, like Destrehan, Louisiana, where Gary Tyler was a student at the local high school. The bigots tried to cloak their opposition to integration by claiming that they were only opposed to “forced busing” and were defending “neighborhood schools,” but the open display of Confederate flags and the racist filth spewed by politicians and “anti-busing” activists revealed their real agenda. They were encouraged by unelected Republican President Gerald Ford, who publicly supported them, and the Republican establishment, which began to realize that busing, along with a host of other issues, could be used to drive a wedge between the national Democratic Party and urban, white voters. This political opportunity was also not missed by Klan and neo-Nazi organizations, which recruited members and organized openly. In Louisiana, David Duke-Grand Wizard of the Knights of the Ku Klux Klan (KKK), who in his college years paraded around in a Nazi uniform-placed himself at the center of the anti-busing movement.[6]

Plantation country

Coming back to the South, it was like taking me out of the light and putting me into darkness.[7]

-Gary Tyler, 1990

Destrehan is located in St. Charles Parish, Louisiana. It is part of Louisiana's old plantation country that runs along the Mississippi River between New Orleans and the state capitol Baton Rouge.[8] While the plantations are almost entirely gone, the elegant mansions built by slave labor remain and are major tourist attractions. “Plantation homes are to Louisiana what the crown jewels are to England-each is a sparkling gem, in an equally spellbinding setting, with a unique story attached,” according to one of Louisiana's tourist Web sites.[9] “The unique story” referred to is the Gone With the Wind version of history of the plantation South commonly found in the former states of the Confederacy. What's missing from this “unique story” is the tyranny and misery of slavery

and Jim Crow, and the persistence of racism that continues to dominate the lives of its Black residents to this very day. Oil replaced agriculture as the master of the Louisiana economy long ago. For the past seventy years, the economy of St. Charles and the other surrounding parishes has been dominated by the petrochemical industry, whose smokestacks and storage bins dot the landscape. Many oil refineries were built on or adjacent to the old plantations. Though a fabulously profitable industry, it has provided very little employment over the decades for Blacks or whites in the region.

Gary Tyler was born in New Orleans in 1958. In 1970, the Tyler family moved to St. Rose, about twenty miles upriver from New Orleans. Destrehan is a short five miles further north. His mother, Juanita Tyler, worked as a domestic servant, and her husband, Uylos, a maintenance man who held down three jobs simultaneously, worked to support a family of eleven kids. When he was twelve years old, Gary left Louisiana to live with his sister Ella in the Watts section of Los Angeles, now better known as South-Central. “There,” according to journalist Amy Singer, “he was exposed to people and ideas that hadn't made their way to St. Rose: the Black Panthers; activist Angela Davis; the antiwar movement. Tyler attended rallies and began to develop a political awareness.”[10]

Gary returned to Louisiana two years later, in 1972, and was not at all happy about it. “Coming back to the South, it was like taking me out of the light and putting me into darkness,”[11] Gary lamented many years later. Living in Los Angeles at the height of the Black Power and antiwar movements was clearly exciting and interesting compared to living in an isolated area of the country like St. Charles Parish. The “darkness”-we can infer-was the grinding poverty and suffocating racism of small town Louisiana life. This is when his scrapes with the law began. Gary was arrested twice for burglary (one he says he's guilty of and the other he says he didn't do) and spent seven months in a juvenile institution. He was also considered something of a radical-intelligent and outspoken, someone who demanded respect from persons in authority. Gary Tyler, in short, was the type of young Black person that cops, particularly white cops in small Southern towns, really despise; a police officer years later would refer to him as a “smart nigger.”[12]

Bus 91

They were on the attack, man. It was panic.[13]

-Terry Tyler, Gary's brother

When the crisis came at Destrehan High School, Gary Tyler already loomed large in the minds of key members of the local sheriff's department as a “troublemaker,” but the chain of events that led to his arrest and persecution began years before October 1974.

The school authorities in Destrehan strongly resisted the pressure for school integration during the 1960s. The federal courts ultimately ordered the Destrehan authorities to begin desegregating their schools in 1968. That, however, didn't put an end to the deeply ingrained racism of the white

residents or their resistance to school integration. Racist violence continued for many years and appears to have escalated during 1974. According to Amnesty International, “In 1974, the tensions created by the resistance of whites to desegregation resulted in frequent clashes in which the Ku Klux Klan, the white supremacist organization, played a leading role.”[14] The Friday night football games became a scene of frequent fights between the white and Black students of Destrehan High School. On the evening of October 4, one such fight broke out. The fight didn't end that night. When Destrehan High School opened the following Monday (October 7), lunchtime fights between Blacks and whites continued, and several people including a teacher were stabbed. Later at Gary's trial, Major Charles Faucheux of the Destrehan Sheriff's Department testified that he watched as “one of the Black students…ran to the highway and probably about fifty white students chased after him.”[15] The principal ordered Destehan High School closed and the Black students evacuated.

Gary Tyler, who was a sophomore at the time, was suspended by the school's assistant principal that morning, though he says that he wasn't involved in the fighting, and was sent home. Fatefully for Gary, he was picked up while hitchhiking home by Destrehan Deputy Sheriff V.J. St. Pierre (who also happened to be the victim, Timothy Weber's, cousin), who searched him, found nothing, and took him back to Destrehan High just as Black students were being evacuated from campus. Gary hopped on to Bus 91, along with sixty-five other Black students, as it began to pull out of campus. Bus 91 was immediately besieged by a white mob of 200 students (and by some accounts, non-students and parents) throwing rocks, bottles, and screaming racist epithets. Gary's brother Terry, who was also on Bus 91, described the terrifying scene years later to journalist Adam Nossiter. “They were on the attack, man. It was panic,” Terry said. It was as if “you be out on a boat, and the boat's sinking.”[16] Suddenly, one student on the bus looked out the window and screamed, “Look at that white boy with that gun.”[17] Seconds later the Black students hit the floor of the bus after hearing a popping sound, believing that someone was shooting at them. Outside the bus Timothy Weber fell to the ground wounded. Deputy St. Pierre rushed him to the hospital, where he later died from a gunshot wound.

The police stopped the bus, according to Patricia Files, another Black student, stormed onto it, and went on a “rampage.” They “started treating us like animals.”[18] Then the police ordered all the Black students off the bus and searched them. It should be emphasized that no one from the white mob was stopped or searched by the police for weapons. Police searched all the Black students on the bus and didn't find a gun. Three deputies searched the bus several times and, again, no gun was found. Then one of the sheriff's deputies began to harass Gary Tyler's cousin Ike Randall about why he was wearing a .22-caliber bullet on a chain. Gary said that there wasn't anything wrong with that, and was arrested for “disturbing the peace.” He was placed in a police car and taken to the local substation of the St. Charles Parish Sheriff's Department. Despite the fact that no gun was found on any Black student riding on Bus 91, and no weapon was found on the bus, all of the Black students were loaded back onto the bus and taken to the same sheriff's substation. This was the beginning of Gary Tyler's long nightmare. Within days of the death of Timothy Weber, a young David Duke, a rising star in Klan and neo-Nazi politics in the

United States, arrived in Destrehan with what he called “security teams” to protect the white residents from “black savages” and “murderers.”[19] He also laid a wreath at a memorial for Timothy Weber. This was the beginning of David Duke's sometimes peripheral but always nefarious role in the persecution of Gary Tyler.

A legal lynching

The system worked fine. This is the prototypical Southern legal lynching.[20]

-Mary Howell

Soon after arriving in the police station, the threats and the beatings began. According to Gary, St. Pierre returned to the police station and screamed, “I'm getting the motherfucker that did it.”[21] A deputy handed St. Pierre a blackjack and he started beating Gary while another deputy joined in and began repeatedly kicking Gary in the back and legs. They kept beating him and asking him who killed Weber. Gary told them he didn't know. But, St. Pierre kept at it, “Nigger, you're going to tell me something.”[22] Another sheriff's deputy entered the room and warned them that people downstairs could hear Gary's screams. One of those people was Gary's mother, Juanita, who came to the station after hearing about the terrifying events at the high school and learning that her sons had been taken there. After all the other students had been released except Gary, she went into the station to look for him. “I could hear the sounds of the beatings,” she recounted in a 1990 interview. “It was like a smothered holler. The sounds of a person hollering. Sounds of licks. Bam, pow.” When she saw Gary later, the aftereffects of the beatings were clear. “He was just trembling.”[23]

The cops weren't able to beat a confession out of Gary, but others began to crack under pressure. The first was Natalie Blanks. She would eventually become the key prosecution witness against Gary. She was also his unhappy ex-girlfriend. Gary's arrest for murder was based on her statements to the police. Blanks was a young woman with a lot of emotional problems who had been undergoing treatment at a local mental health clinic for several years. She also had a history of making false police reports, including one that she was kidnapped, a claim that was investigated by none other than Deputy Sheriff St. Pierre.

Another Black student on Bus 91 got a visit from the police that night. Larry Dabney shared the same bus seat with Gary Tyler. “It was the scariest thing that ever happened to me,” he said in his affidavit. “They didn't even ask me what I saw. They told me flat out that I was going to be their witness. They started telling me what my statement was going to be. They told me I was going to testify that I saw Gary with a gun right after I heard the shot, and that a few minutes later hide it in a slit in the seat. That was not true. I didn't see Gary or anybody else in that bus with a gun.”[24]

Where did the gun that police claimed killed Timothy Weber come from? How did they find it? After all, the police searched the bus for three hours after the

shooting and found nothing. Natalie Blanks identified where Gary was sitting and the police removed the seat from the bus and, again, found nothing. Later, the police said they “discovered” the gun-a .45 caliber automatic-stuffed inside the seat that Gary was sitting on. According to Amy Singer, “A photograph of the seat taken before they removed the gun shows an obvious bulge.”[25] The gun had no fingerprints on it and was later identified as stolen from a firing range that was used by St Charles Parish Sheriff's deputies. What tied Gary to the gun? Gary wore gloves to school that day and they were confiscated by the police after his arrest and sent to the Southeastern Louisiana Regional Criminalistics Laboratory for testing. The gloves were apparently misplaced for several weeks before the head of the lab, Herman Parrish, finally claimed that he tested them and found gunpowder residue on them. No independent testing was done because all the alleged residue was used up by Parrish. In 1976, Parrish resigned from his position at the crime lab after he was accused of lying about test results in another case.[26] The bullet that police claimed killed Timothy Weber was never even tested to see if it ever passed through a human body. Everything points to the likelihood that the police fabricated the gun evidence against Gary Tyler.

Planted evidence, coerced testimony, and faked test results; all that was needed was a compliant judge and jury, and the prosecutors certainly got them. The presiding judge at Gary's trial was Judge Ruche Marino, who was identified by some press accounts of the time as being a former member of the White Citizens Council of Louisiana.[27] In a region that is 25 percent African American, the trial impaneled an all-white jury. Gary Tyler's inept defense attorney, Jack Williams, gave incalculable help to the prosecution. His total pretrial preparation consisted of meeting Gary once or twice and reading the grand jury transcripts. But this was only the beginning of his blunders and missteps; his general incompetence would plague Gary for years to come.

Judge Marino was consistently biased in favor of the prosecution. He even instructed the jury that they could presume Gary guilty before their deliberations.[28] Gary's trial lasted five days and the jury deliberation three hours before he was found guilty of first-degree murder, in November 1975. Under Louisiana law at the time, this was an automatic death sentence. His date of execution was set for May 1, 1976. At seventeen, he was the youngest person on death row in the United States.

Free Gary Tyler

Amnesty International believes that Gary Tyler was denied a fair trial and that racial prejudice played a major part in his prosecution. The racial and political context in which the offence and prosecution took place brings the case under Article 1(b) of Amnesty International's statute, by which the organization seeks a fair trial for political prisoners.[29]

-Amnesty International, 1994.

Soon after Gary's arrest, the Tyler family, led by his mother Juanita, threw themselves into organizing a campaign to stop his legal lynching. They received the crucial help of veteran Louisiana Student Nonviolent Coordinating

Committee (SNCC) activist and draft resister Walter Collins, who helped set up a New Orleans-based Gary Tyler Defense Committee.[30] Collins and the Tyler family concentrated on getting Gary's supporters to fill the courtroom during the trial, not only to show the judge and prosecutor community support for Gary but also to counter the influence of the KKK, who rallied outside for Gary's conviction. After an execution date was set for Gary, there was an urgent need to turn the Free Gary Tyler Campaign into a national effort. The campaign got a boost when Natalie Blanks recanted her testimony, charging that the police had coerced her into falsely testifying. Gary's new attorney, Jack Peebles, petitioned the court for a hearing to allow for the new evidence to be heard. Unfortunately, this meant going back to the very same Judge Ruche Marino. True to form, Marino ignored Blanks' recantation and allowed Gary's conviction to stand.

However, Blanks' bombshell revelations, along with the obvious irregularities of the trial, provided more than enough of a basis for a national campaign, despite the fact that the national media mostly ignored the Tyler case. The New York Times, for example, ran its first article on the Tyler case in late March 1976, six weeks before his scheduled execution.[31] One of the groups that most enthusiastically took up Gary's case was the Red Tide, the youth group of the International Socialists.[32] The Red Tide was a racially mixed, socialist organization that organized around high schools in Detroit, a city experiencing the same kind of violent opposition to school integration that had resulted in the persecution of Gary Tyler. For many of the Red Tiders, Gary Tyler became a deeply personal symbol of political persecution. In late April 1976, Gary's lawyers won him his first victory. His execution was postponed, pending the outcome of his appeals in the Louisiana state courts. Meanwhile, Free Gary Tyler committees were being formed across the country. Juanita Tyler and Walter Collins spoke before a packed meeting of 350 people on June 13, 1976, demanding Gary's freedom in Detroit. The late civil rights activist Rosa Parks was the main speaker and campaigned on Gary's behalf. She was later joined by Rubin “Hurricane” Carter, the former boxing champion who spent a decade in prison for a crime he didn't commit. The campaign to free Gary peaked during the latter half of 1976, when over 1,500 protesters marched through New Orleans on July 24, and in November, when petitions with more than 92,000 signatures demanding Gary's freedom were delivered to Louisiana Governor Edwin Edwards.[33] Even the American Federation of Teachers, which had a very mixed record on the issue of racism in the public schools, passed a resolution in support of Gary Tyler.[34] In July 1976, while Gary's state court appeals were still pending, the U.S. Supreme Court ruled that the Louisiana death penalty was unconstitutional. Gary, along with everyone else on Louisiana's death row, was spared the electric chair.

While all of this was going on, Gary's tormentors turned their attention to harassing members of the Tyler family and campaign supporters. Gary's mother and father were fired from their jobs. On March 26, 1976, white “nightriders” (Klan supporters if not outright Klansmen) shot and killed Richard Dunn, a young Black man returning from a fundraising dance for Gary Tyler at Southern University in New Orleans. (The gunman was later captured and served ten years in prison.) Klansmen in full-dress uniforms drove openly through the Tylers' hometown of St. Rose, while others, out of uniform, stalked members

the Tyler family around their community. While there is no hard evidence that David Duke directed these activities, one cannot help but notice that these activities bore a striking resemblance to the “security” measures that he was calling for at the time. Gary's brother Terry and Donald Files, an important defense witness, were arrested on charges of burglary. The alleged burglary happened while Terry was in Detroit speaking on his brother's behalf at a public rally on May 16, 1976. Judge Marino set a $5,000 bond for each. In June 1976, Marino once again held another of Gary's brothers, Steven, on $2,700 bond for a charge of “disturbing the police.”[35] On January 27, 1977, the police invaded Mrs. Tyler's home at gunpoint, arrested one of her son's for robbery, and released him later without charging him. Despite the constant harassment and death threats, the Tyler family and the campaign persevered. Even at his high school, Gary's classmates (both Black and white) organized the Gary Tyler Freedom Fighters.[36]

The year 1977 was an important turning point in Gary's case-unfortunately for the worse. On January 24, 1977, the Louisiana Supreme Court upheld Gary's conviction. Short of a major breakthrough in the case, Gary was looking at years in prison. During the course of the year, the national campaign began to wane. Once the death sentence was lifted from Gary's head, it became difficult to sustain the campaign. The initial urgency to save him from the electric chair was gone, and the campaign was ill prepared for what was going to be a long effort after the Louisiana Supreme Court upheld his conviction. This was exacerbated by the decline of the Left in the United States, in particular, the two organizations whose members had been the most committed to Gary's campaign across the country.[37]

Gary's lawyer, Jack Peebles, continued the legal fight, filing a petition in 1978 for “biased instruction” by Judge Marino during Gary's trial with the Federal Court of Appeals for the Fifth Circuit. In 1980, the court ruled in Gary's favor. It seemed that finally Gary would get some justice. However, the prosecutors appealed the decision. They were again helped by Gary's first lawyer Jack Williams, who couldn't remember why he hadn't objected to Marino's biased instructions at the trial. As a result the court didn't order a new trial. “It is a shocking thing there is someone in prison in this country for whom the courts have said, 'Your trial was fundamentally unfair, you've been denied the presumption of innocence, but we won't give you a fair trial because your lawyer can't remember why he didn't object,'” Mary Howell declared in 1987.[38] Since the late 1980s, Gary has made several efforts to get paroled, but in each case he fell victim to Louisiana's racial politics.

The most serious effort came in 1989-90, when the pardon board voted 3 to 2 to recommend that Gary's sentence be commuted from life to sixty years, with eligibility for parole after serving twenty years. This was forwarded to then Louisiana governor, Democrat Buddy Roemer, who rejected the pardon board's recommendations despite receiving petitions with 12,000 signatures calling for Gary's pardon.[39] Why did Roemer reject a pardon for Gary? One can speculate that Roemer expected to face David Duke in his upcoming bid for reelection in 1991-Klansman turned Republican, who garnered hundreds of thousands of votes in his 1990 campaign for U.S. senator on an openly racist program. Despite his effort to outflank Duke, Roemer was easily defeated in a three-way

race.[40] Duke would later be defeated by the notoriously corrupt Democratic candidate and former governor, Edwin Edwards.

Three decades on

I emphatically and unequivocally maintain my innocence as I did in 1974 and hope that one day justice will eventually prevail in this matter.[41]

-Gary Tyler

I just wish for the day he could be home. It's been so long.[42]

-Juanita Tyler, Gary's mother, May 24, 2006.

For the past three decades, Gary Tyler has been incarcerated at the Louisiana State Penitentiary at Angola. The 18,000-acre penitentiary, nick-named “the farm,” is the largest maximum security prison in the country, housing 5,000 men.[43] The Angola prison population is 75 percent Black, and 85 percent of those sentenced there will probably die there. Angola is built on a former slave plantation and has been running continuously since the end of the Civil War. Along with other infamous prisons in the South (like Mississippi's Parchman Farm), “it is hard not to see…the entire penal system simply as revenge against Blacks for the South's defeat in the Civil War.”[44] Even to this day, slavery casts a long shadow over the Southern penal system, especially Louisiana's. Louisiana has the highest rate of incarceration in the country. For every 100,000 residents of the state, 816 are sentenced prisoners. Blacks make up 32 percent of Louisiana's population, but they constitute 72 percent of the state's prison population.[45] The life of prisoners inside of Angola is little better than slavery. Gary, for example, spent many years in solitary confinement because he refused to pick cotton for 3 cents an hour.

How is it possible that, given all the evidence of his innocence and the blatantly racist nature of his frame-up, Gary Tyler is still in prison? Gary's case takes us straight into the heart of darkness of the Louisiana criminal justice system. Powerful political forces have conspired to keep him behind bars. Both racism and political persecution have played their part. In 1990, the Louisiana attorney general argued against a pardon for Tyler, because he has “demanded that he be allowed to correspond with socialist and communist publications like the Socialist Worker.”[46] Gary Tyler is a political prisoner and nothing less than a serious fight by those who are outraged and want to support him will win Gary his freedom.

There has been a great reversal in the rights of death row prisoners. According to author Dave Lindorff,

The Supreme Court, and the Clinton administration's 1995 Effective Death Penalty Act have combined to make it almost impossible to appeal cases based upon new evidence. Any appellate defense lawyer will tell you that in both capital and non-capital cases, the highest court, and the appeals courts, too, generally only will grant new trials where there has been a procedural error.

They don't give a damn about new evidence, recanted witnesses, etc. Those kinds of things, that actually prove innocence or corrupted trials, have to be beyond overwhelming to win a new trial.[47]
The draconian character of the legal system in capital cases has only gotten more pronounced since the so-called war on terror under George W. Bush.

Yet the last decade has also seen a sea change in public attitudes towards the criminal justice system. Hundreds of innocent people have been released from prison, after it was shown that they were innocent or received unfair trials. But far too many remain in prison. “Don't forget about Gary Tyler because there are thousands more like him,” declared Terry Tyler, Gary's older brother.[48] Hurricane Katrina has ripped the mask off of racism and class oppression in this country generally, and in Louisiana in particular. While the tens of thousands of mostly Black, working class and poor residents of New Orleans fight to return to their homes and rebuild their shattered lives, they will continue to be confronted by the forces of racism and class oppression that seek to turn the city into a jazz and blues version of Disneyland. Louisiana's already racist and corrupt judicial system will be increasingly put at the disposal of creating this “new” New Orleans. In all of these upcoming battles, the fight to free Gary Tyler should be part of them. Gary Tyler should not be forgotten.

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Letters of support can be sent to:
Gary Tyler # 84156
Louisiana State Penitentiary
ASH-4
Angola, LA 70712

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1 Mary Howell quoted in Amy Singer, “So why is he still in prison?” *American Lawyer*, June 1991.

2 “The case of Gary Tyler, Louisiana,” Amnesty International USA annual reports, October 1994, available at http://www.amnestyusa.org.

3 For an overview of the origins and resistance to the Brown v. Board of Education of Topeka, Kansas Supreme Court decision, see the documentary film With All Deliberate Speed directed by Peter Gilbert, 2004.

4 Ibid.

5 For a history of the busing crisis in Boston, see J. Anthony Lukas, *Common Ground: A Turbulent Decade in the Lives of Three American Families* (New York: Alfred A. Knopf, 1985).

6 On the early career of David Duke, see Patsy Sims' *The Klan* (Lexington: The University Press of Kentucky, 1996), particularly Chapter 15.

7 Quoted in Singer.

8 The Destrehan plantation was founded in 1787. The second owners were named d'Estrehan and during the Civil War the plantation was occupied by the Union Army. Freed slaves were trained in skilled trades by the Freedman's Bureau until the property was returned to the third owners of the plantation, the Rost family.

9 Available at http://www.louisianatravel.com/explorela/regions/plantationcountry/.

10 Singer.

11 Ibid.

12 Adam Nossiter, “Legal lynching in Louisiana: The case that refuses to die,” *Nation*, March 12, 1990.

13 Ibid.

14 Quoted in “The case of Gary Tyler, Louisiana.” Before the desegregation of St. Charles Parish schools, Destrehan High School was the white high school.

15 Ibid.

16 Quoted in Nossiter.

17 Quoted in Singer.

18 Quoted in Nossiter.

19 Quoted in Nossiter.

20 Ibid.

21 Ibid.

22 Quoted in Nossiter.

23 Quoted in Singer.

24 Ibid.

25 Ibid.

26 Workers Power, the weekly newspaper of the International Socialists, in its coverage of the Gary Tyler case, continually refers to Marino as a member of the Louisiana White Citizens Council. The White Citizens Councils through out the South were the suit-and-tie version of the Ku Klux Klan that were equally committed to maintaining the Jim Crow system as their hooded brethren.

27 This act by Marino would become the basis for appeal several years later.

28 Quoted in “The case of Gary Tyler.”

29 For a discussion of Walter Collins' political history in Louisiana, see James E. Westheider, Fighting on Two Fronts: African Americans and the Vietnam War (New York and London: New York University Press, 1997), 20, 28.

30 “Witness recants in racial killing,” *New York Times*, March 28, 1976.

31 The International Socialists was a revolutionary socialist political organization in the 1960s and 1970s.

32 For information on the petition drive, see The Struggle to Free Gary Tyler, Communist Party (Marxist-Leninist), Chicago, IL, 1978.

33 “American Federation of Teachers 1976 convention minutes and resolutions 1976,” resolution number 28, “New trial for Gary Tyler,” 214-16.

34 See Lennox S. Hinds, *Illusions of Justice: Human Rights Violations in the United States* (Iowa City: University of Iowa, 1978), 311-14.

35 Ibid.

36 In 1977, the International Socialists split into two much weaker and smaller organizations. The Red Tide disbanded in 1981.

37 Quoted in Singer.

38 See Tyler Bridges, *The Rise David Duke* (Jackson, Miss: University Press of Mississippi/Jackson, 1994).

39 See the *New York Times*, January 25, 1990.

40 For a complete account of the rise and fall of David Duke's political campaigns from 1989 to 1991, see Tyler Bridges.

41 “Twenty years after slaying, families still seek justice,” *New Orleans Times-Picayune*, October 7, 1994.

42 Telephone interview with Juanita Tyler, May 24, 2006.

43 For a profile of Angola prison see the documentary, *The Farm: Angola, USA*, directed by Jonathan Stack and Elizabeth Garbus, 1998.

44 Sebastian Junger, *A Death in Belmont* (New York & London: W.W. Norton & Co., 2006), 64.

45 Louisiana's incarceration rate and racial composition in Jordan Flaherty and Tamika Middleton, “Imprisoned in New Orleans,” *Colorlines*, Spring 2006.

46 Quoted in Nossiter. Socialist Worker is the weekly newspaper of the International Socialist Organization.

47 E-mail correspondence with award-winning investigative reporter Dave Lindorff, June 26, 2006.

48 Telephone interview with Gary's brother, Terry Tyler, May 24, 2006